

REMARKS

Claims 7-13 remain pending in the present application. Claim 7 has been amended. Basis for the amendments can be found throughout the specification, drawings and claims as originally filed.

CLAIM REJECTIONS UNDER 35 U.S.C §103(a)

The Examiner has rejected Claims 7-9 and 11-13 under 35 U.S.C. §103 alleging them to be unpatentable over U.S. Patent No. 6,296, 321 ('321 patent) in view of U.S. Patent No. 5,975,767 ('767 patent) both to Mizukoshi et al.

Claim 7 has been amended. Claim 7 further defines the semi-floating wheel bearing apparatus structure. The unit includes, among other features, a partition wall integrally formed on the wheel hub at its outboard side to close a central bore of the wheel hub. The partition wall increases the rigidity of the wheel hub to suppress an elastic deformation of the wheel hub even though the moment load is applied to the wheel hub during running of the vehicle. Also, the partition wall prevents the ingress of rain water or dust from the ambient circumstances into the drive shaft and thus into the differential gear oil.

The '321 patent and '767 patent fail to illustrate Applicant's claims. Neither of the Mizukoshi et al. references relate to semi-floating bearings. Neither reference illustrates a partition wall as claimed. Further, neither reference provides a partition wall that increases the rigidity of the wheel hub to suppress an elastic deformation. Further, neither the '321 nor '767 patent has a partition wall that prevents ingress of rain water or dust from the ambient circumstances into the drive shaft and thus into the differential gear oil. Both patents relate to bearing apparatuses that includes a constant velocity

joint.

Accordingly, Applicant believes Claim 7 to be patentably distinct over the art cited by the Examiner. Accordingly, Claims 8-10 and 11-13, which depend from Claim 7, are patentably distinct over the art cited by the Examiner.

The Examiner has rejected Claim 10 under 35 U.S.C. §103 alleging it to be unpatentable over the above two patents further in view of U.S. Patent No. 7,255,482 (Yamamoto).

The '482 patent cited by the Examiner fails to overcome the deficiencies of both the '321 and '767 patents. Further, the '482 patent relates to a bearing apparatus including a constant velocity joint. Thus, no partition wall as claimed is illustrated by the combination.

Accordingly, Applicant believes Claim 10 to be patentably distinct over the art cited by the Examiner.

In light of the above amendments and remarks, Applicant submits that all pending claims are in condition for allowance. Accordingly, Applicant respectfully requests the Examiner to pass the case to issue at his earliest possible convenience.

Should the Examiner have any questions regarding the present application, he should not hesitate to contact the undersigned at (248) 641-1600.

Respectfully submitted,



W.R. Duke Taylor
Reg. No. 31,306
Attorney for Applicants

HARNESS, DICKEY & PIERCE, P.L.C.
P.O. Box 828
Bloomfield Hills, MI 48303
(248) 641-1600

Date: July 16, 2010
WRDT/lkj

Attorney Docket No. 6340-000076/NP

15575695.1